IN RE: PETITION FOR VARIANCE SE/S Glen Falls Road, 8000'

W of Hanover Pike

4th Election District

3rd Councilmanic District

6037 Glen Falls Road

Conley Clayton Price & Nancy Lee Price Petitioners

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 99-445-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a petition for variance filed by the legal owners of the subject property, Conley C. and Nancy L. Price. The variance request is for property they own at 6037 Glen Falls Road, which property is zoned RC.4. The variance is to allow side yard set backs of 22 ft. in lieu of the required 25 ft. for a single family residential dwelling. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioners' Exhibit 1.

Appearing at the hearing on behalf of the request were Mr. & Mrs. Price and Roy Snyder, a registered property line surveyor. There were no protestants in attendance.

Testimony and evidence indicated that the property, which is the subject of this variance frequest, consists of 0.392 acres, more or less, zoned RC.4. The subject property is improved with an existing one-story house which the property owners intend to tear down. The old one-story Shouse was built by the Petitioner's grandfather and has become dilapidated over the years. It has been abandoned for some time and is beyond renovation. Therefore, the Prices wish to tear down the old house and construct a new single family residence in its place. The new residence will be situated somewhat closer to the property line and, therefore, a variance is necessary in order for them to construct the new dwelling on the lot.

CALCAN MECHANISM FOR PLINE

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioners and their property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioners must meet the following:

- whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. Of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the property which is the subject of this request and that the requirements from which the Petitioners seek relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition sheld, and for the reasons given above, the variance requested should be granted.

The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at his time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

Jun Hy lo Frow TIMOTHY M. KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj



Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

Fax: 410-887-3468

June 30, 1999

Mr. & Mrs. Conley C. Price 4517 Hanover Pike Hampstead, Maryland 21074

> Re: Petition for Variance Case No. 99-445-A

> > Property: 6037 Glen Falls Road

Dear Mr. & Mrs. Price:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,
Munthy Motroco

Timothy M. Kotroco

Deputy Zoning Commissioner

TMK:raj Enclosure



REV 9115198

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at	6037	Glen	Falls	Road		
which						

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

1A03.4 B.2.a. To permit side yard setbacks of 22 feet in lieu of the required 25 feet.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

			I/We do solemnly declare and a perjury, that I/we are the legal is the subject of this Petition.	affirm, under owner(s) of th	the penalties of ne property which
Contract Purchas	ser/Lessee:		Legal Owner(s):	•	
Name - Type or Print			Conley Clayton Price Name - Type or Print	ytop	Pried
Signature			Signature Price	8	. •
Address		Telephone No.	Nancy Lee Price Name - Type or Print Consumer See	Price	
City	State	Zip Code	Signature		
Attorney For Peti	tioner:		4517 Hanover Pike Address		410 374 6754 Telephone No.
			Manchester	MD	21074
Name - Type or Print			City	State	Zip Code
3		 	Representative to be Co	ontacted:	
Sig igi ure			A. L. Snyder, Surveyo	or, Inc.	
Centrany			1911 Hanover Pike		410 239 7744
Address		Telephone No.	Address		Telephone No.
			Hampstead	MD	21074
cily	State	Zip Code	City	State	Zip Code
Chiefa day of	g been formally demande that County and that the property	the subject matter of t	required, it is ordered by the Zoning his petition be set for a public hearing, a	auvertisse, es	
CASE NO	99-445	. (-) Rev	Zoning Commissioner of	oate	-7-99.

Estimated Posting Date

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) standard presently reside at	6037 Glen Falls R	toad	
	Reisterstown	MD	21136 Zip Code
	City	State	Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

The existing one story frame house is in poor condition. The planned new one story frame house, which would replace the existing one story frame house, is larger though it would be situated no closer to the side property lines or street than the existing house.

REV 09/15/98

My Commission Expires

Affidavit in Support of Administrative Variance

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:17		a in the fatale with reger a	
That the Affiant(s) stops presently reside at	6037 Glen Falls 1	Road	
- 1	Address	MD	21136
	Reisterstown City	State	Zip Code
That based upon personal knowledge, the folio Variance at the above address (indicate hardsh The existing one story frame house, which would larger though it would be situated than the existing house.	ouse is in poor con replace the existinated no closer to t	dition. The planned ng one story frame ho	new one ouse, is
That the Affiant(s) acknowledge(s) that if a tadvertising fee and may be required to provide Lower Management Control of the Signature	formal demand is filed, and additional information. New 9 Signature	Affiant(s) will be required the Lee F.	o pay a reposting and
Conley Clayton Price Name - Type or Print		Type or Print	
I HEREBY CERTIFY, this day of of Maryland, in and for the County aforesaid, p	nersonally appeared	, <u>1999</u> , before me, a N	otary Public of the State

My Commission Expires

REU 09|15|98

AS WITNESS my hand and Notarial Seal



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at	6037	Glen	Falls	Road	
which					

445

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

1A03.4 B.2.a. To permit side yard setbacks of 22 feet in lieu of the required 25 feet.

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Property is to be posted and advertised as prescribed by the zoning regulations.

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9	- '	• • •	-		
			I/We do solemnly dec perjury, that I/we are is the subject of this F	clare and affirm, under the legal owner(s) of the Petition.	the penalties of e property which
Contract Purchaser/Less	see:		Legal Owner(s):		
Name - Type or Print	<u> </u>		Conley Clayton	Price	
Signature		· · · · · · · · · · · · · · · · · · ·	Signature	Morgian	v June
			Nancy Lee Pric	e	
Address		Telephone No.	Name - Type or Print	Lu Price	-
City	State	Zip Code	Signature		
Attorney For Petitioner:			4517 Hanover P	ike	410 374 6754 Telephone No.
			Manchester	MD	21074
Name - Type or Print	<u> </u>		City	State	Zip Code
			Representative t	to be Contacted:	
Signature			A. L. Snyder,	Surveyor, Inc.	
Company			Name		
			1911 Hanover P	ike	410 239 7744
Address		Telephone No.	Address		Telephone No.
			<u> Hampstead</u>	MD	21074
City	State	Zip Code	City	State	Zip Code
A Public Hearing having been for this day of regulations of Baltimore County and	tr .	iat the subject matter o	be required, it is ordered by t of this petition be set for a public	he Zoning Commissioner hearing, advertised, as n	of Baltimore County, equired by the zoning
			Zoning Comm	ssioner of Baltimore Cou	nty
CASE NO. 99	44	S. A R	eviewed By 5JA	Date 5	-199
28V 9115198			stimated Posting Date		
KGV 7113170		-	· ·		

A. L. Snyder Surveyor, Inc. 1911 Hanover Pike Hampstead, Maryland 21074

(410) 239-7744

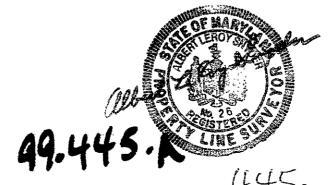
(410) 374-9695

Zoning Description #6037 Glen Falls Road May 6, 1999

Beginning in the center of Glen Falls Road at a distance of 8,000 feet, more or less, west of Hanover Pike (Maryland Route 30) and running thence,

- 1.) S 40° 58' 35" E 233.15 feet,
- 2.) S 60° 00' 00" W 83.10 feet,
- 3.) N 37° 48' 00" W 218.47 feet,
- 4.) N 49° 41' 28" E 69.48 feet to the place of beginning.

Being the same land which was conveyed by Nancy L. Price, et al to Conley Clayton Price and Nancy Lee Price, his wife, by deed dated November 20, 1998 and recorded among the Land Records of Baltimore County, Maryland in Liber S.M. 13463 folio 127 etc. Being known and designated as No. 6037 Glen Falls Road and located in the Fourth Election District of Baltimore County, Maryland.



MEMBER: Md. Soc. of Surveyors . W. Va. Assoc. of Land Surveyors . A.C.S.M.

	#40.755 #2.10A DM. #10/1999 5/07/1999 L6:07:59 RES #30.5 CASHER FAILS PEU DRAMER 7; DR94 5 5/20 70MTNG URKIFTGATTON RECART # 004592 RELEASTON	SRS Keevt, Tot .00 UK , (in decre Counts, Mary Jand	A. 2445.00	CASHIER'S VALIDATION
BALTIMORE COUNTY, MARYL/"D OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	DATE S 7 (2 C. ACCOUNT R CO. C.	" P (12. 0 1 1)	C. D. C.	DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CLISTOMER CASHIER'S VALIDATION

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CERTIFICATE OF PUBLICATION TOWSON, MD., 6-10

THE JEFFERSONIAN,

MULINSY

LEGAL ADVERTISING

6/124 June 10 797 C31/1836

CERTIFICATE OF STING

RF Case No

99-445-A

Petitioner/Developer NAWCY PRICE, ETAL

Yo Roy SNYDER
Date of Hearing Closing 6/25/99

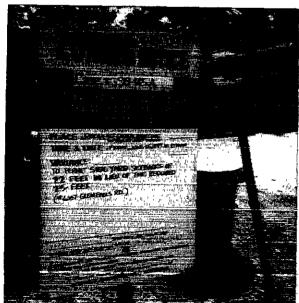
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204

Attention Als Gwendolyn Stephens

Ladies and Gentlemen

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at # 6037 GLEN FALLS P.D.

The sign(s) were posted on



La contrata de la contrata de contrata

GLEN FALLS RD

(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

(Address)

HUNT VALLEY, MD. 21030 (City, State, Zip Code)

410-666:5366 ; CELL-410-405-8571

(Telephone Number)

RE: PETITION FOR VARIANCE 6037 Glen Falls Rd, SE/S Glen Falls Rd, 8000' W of Hanover Pike 4th Election District, 3rd Councilmanic

Legal Owner: Conley C. and Nancy L. Price Petitioner(s)

- BEFORE THE
- ZONING COMMISSIONER
- **FOR**
- **BALTIMORE COUNTY**
- Case No. 99-445-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

xiale S. Domilio

CAROLE S. DEMILIO

Deputy People's Counsel

Old Courthouse, Room 47

400 Washington Avenue

Towson, MD 21204

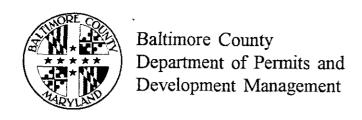
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this day of June, 1999 a copy of the foregoing Entry of

Appearance was mailed to A.L. Snyder, 1911 Hanover Pike, Hampstead, MD 21074, representative for Petitioners.

Er Max Timmerman



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

May 27, 1999

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-445-A
6037 Glen Falls Road
SE/S Glen Falls Road, 8000' W of Hanover Pike
4th Election District – 3rd Councilmanic District
Legal Owner: Nancy Lee Price & Conley Clayton Price

Variance to permit side yard setbacks of 22 feet in lieu of the required 25 feet.

HEARING: Friday, June 25, 1999 at 10:00 a.m. in Room 407, County Courts Building,

401 Bosley Avenue

Arnold Jablon Director

c: Nancy & Conley Price AL Snyder

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY JUNE 10, 1999.

(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY

June 10, 1999 Issue - Jeffersonian

Please forward billing to:

Nancy L. Price 4517 Hanover Pike Manchester, MD 21102

410-374-6754

NOTICE OF ZONING HEARING

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LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

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DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:			
tem Number or Case Number: 99-445-A-			
Petitioner: CONLEX CLAYTON PIZZE & NANCX LIFE PRICE			
Address or Location: 6037 GLER FALLS ROAD			
PLEASE FORWARD ADVERTISING BILL TO:			
Name: NAVOCK L. PIZICLE			
Address: 4517 HANOVEL PILLE	•		ķ
MANCHESTER, MARKLAND 21102	· 	·	
Telephone Number: 410 - 374 - 6754			

Revised 2/20/98 - SCJ

99.445-A



Baltimore County Department of Permits and Development Management

Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

A. L. Snyder, Surveyor, Inc. 1911 Hanover Pike Hampstead, MD 21074

RE: Case No.: 99-445-A

Petitioner: Price

Location: 6037 Glen Falls Road

Dear Sirs:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on May 7, 1999.

The Zoning Advisory Committee (ZAC), which consists representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

Zoning Supervisor Zoning Review

WCR:qqs

Enclosures

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits

Date: May 25, 1999

and Development Management

FROM: Arnold F. 'Pat' Keller, III, Director

Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition (s): Item No (s): 426, 435, 436, 437, 438, 439, 444, 445, 446, 448 and 455

Jeffy My

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief: 2

AFK/JL

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

Date: June 3, 1999

TO:

Arnold Jablon

FROM:

R. Bruce Seeley

SUBJECT:

Zoning Item #445

6037 Glen Falls Road

Zoning Advisory Committee Meeting of May 24, 1999 The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item. The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site. X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item: Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code). Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code). Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code). X Prior to approval of a building permit, satisfactory soil evaluation tests must be conducted and the well be approved.

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: June 1, 1999

Department of Permits & Development

Management

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting

for June 1, 1999

Item Nos. 421, 426, 435, 436, 437, 438, 444, (445) 447, 448, 449, 450,

and 453

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File



700 East Joppa Road Towson, Maryland 21286-5500 410-887-4500

June 2, 1999

Arnold Jablon, Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204 MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF May 24, 1999

Item No.: See Below Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

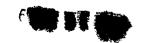
The Fire Marshal's Office has no comments at this time, 8. IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

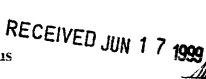
426, 434, 435, 436, 437, 438, 439, 444, (445) 448, 447, 443, 449, 450, 451, 452, 🗪, and 455

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 387-4831, MS-1102F

cc: File









Parris N. Glendening Governor John D. Porcari Secretary Parker F. Williams Administrator

Date:

5.21.39

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE:

Baltimore County

Item No. 445

JRA

Dear. Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

10

Michael M. Lenhart, Chief

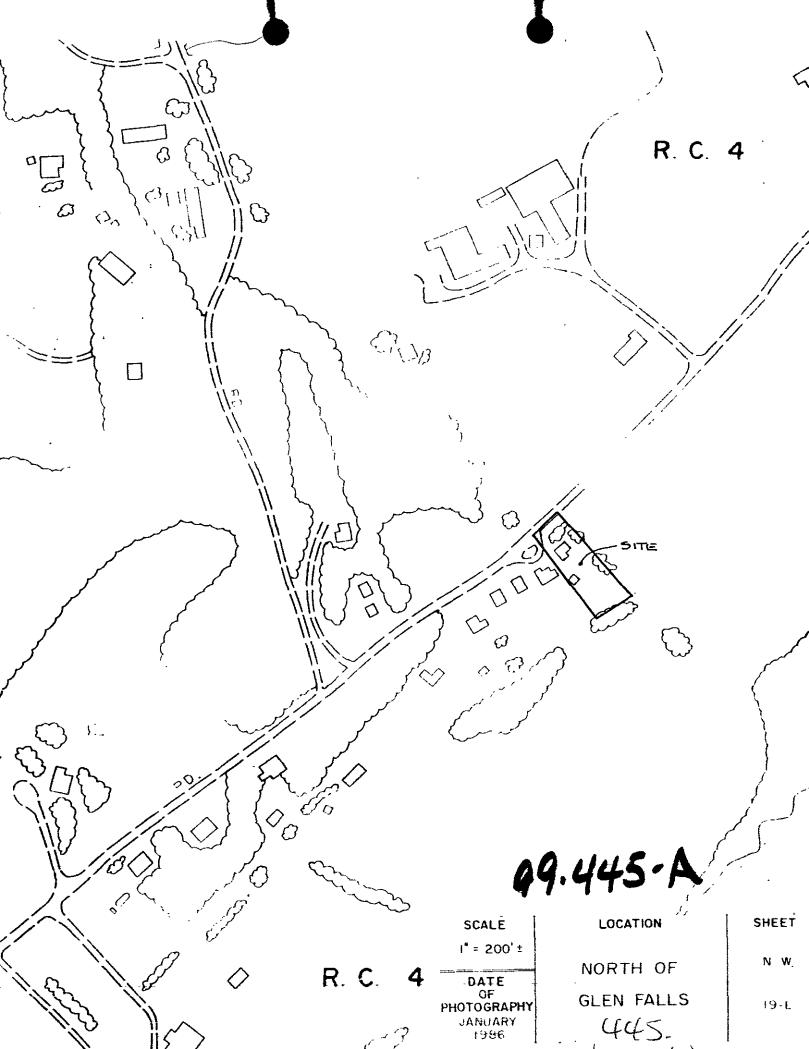
f. J. Dolle

Engineering Access Permits Division

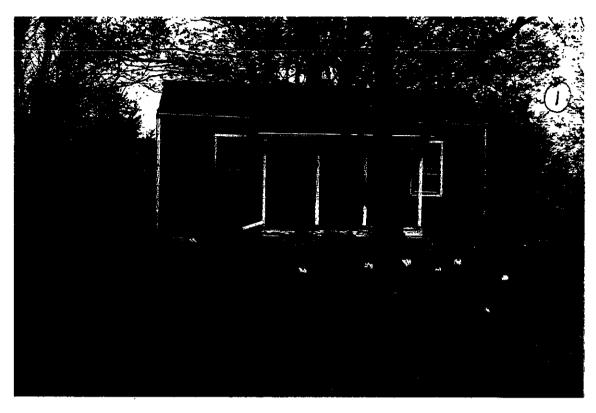
(S) SIGN-IN SHEET

NAME	ADDRESS
Roy Surcousz	1911 HARDOUR PHET HAMPSTEAN #
Coalley C. Price	4517 Hanorer Pite Manchest
Coalley C. Price Nancy L. Price	4517 Handrer Pike Manchesty 18 4517 Handrer Pike, Manchesty 18.3

Pe: 6037 (ELEN Nowey 13 4466-687 K CARACL



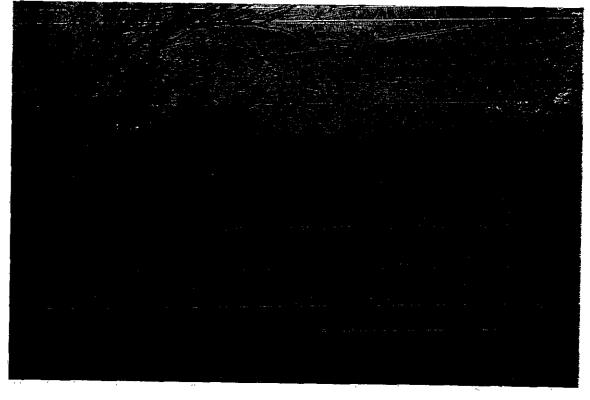


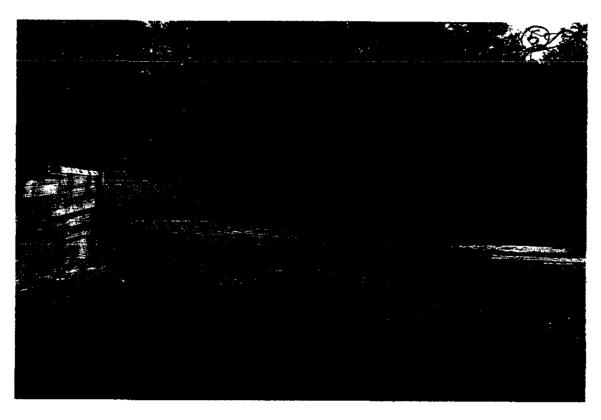




49.445-A









99.445-A

